

December 12, 2024

**VIA CM/ECF**

Honorable J. Brendan Day  
United States District Court for the District of New Jersey  
Clarkson S. Fisher Building & U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

**Re: Joint Letter re *MacLean, et al. v. Wipro Limited*, No. 3:20-3414-GC-JBD**

Dear Judge Day:

In accordance with the Court's October 16, 2024 Order, the parties in the above-captioned matter write in advance of the telephonic status conference scheduled for December 17, 2024 to apprise the Court of the status of discovery, including the status of the parties' agreement on ESI custodians and search terms, and setting forth any other issues ripe for discussion with the Court. *See* Dkt. 79.

Following the parties' October 15, 2024 video conference with the Court, and pursuant to the Court's instruction at that conference, the parties conferred by email in an effort to narrow Plaintiffs' list of potential ESI custodians on October 21, 2024 and November 4, 11, 22, 24, 25, and 27, 2024.

Plaintiffs provided Wipro with a narrowed list of 34 potential ESI custodians (from an initial list of around 50 individuals) and asked Wipro to provide information about lost ESI and backups for Plaintiffs' proposed custodians.

Wipro provided its own proposed list of 18 custodians. Nine of Wipro's 18 proposed custodians were also included on Plaintiffs' proposed custodian list. Wipro agreed that once the parties have reached a preliminary agreement on a narrowed list of custodians, Wipro would further investigate what ESI and backups may be available for those custodians.

The parties are continuing to confer regarding the relevance of certain custodians and whether information about available ESI and backups for the proposed custodians should be provided at this juncture, before the parties have reached a preliminary agreement on a custodian list. It is likely that the parties will have ripe disputes as to certain custodians and Wipro's obligation to provide information about backups in the near future, at which point the parties intend to update the Court via a formal discovery dispute letter.

The parties thank Your Honor for his attention to this matter.

Joint Letter to Judge Day  
December 12, 2024

Respectfully submitted,

/s/ Jonathan Rudnick  
Jonathan Rudnick  
Daniel Kotchen (*pro hac vice*)

/s/ Seton O'Brien Hartnett  
Seton O'Brien Hartnett  
Greta Williams (*pro hac vice*)

*Attorneys for Plaintiffs and Putative Class*

*Attorneys for Defendant Wipro Limit*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on all counsel of record by electronic service through the Court's CM/ECF system.

By: /s/ Jonathan Rudnick